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Chapter I
Matters calling for action by the Economic and Social Council or brought to its attention

B. Matters brought to the attention of the Economic and Social Council

Special theme: "Indigenous peoples: development with culture and identity: articles 3 and 32 of the United Nations Declaration on the Rights of Indigenous Peoples"

1. Development paradigms of modernization and industrialization have often resulted in the destruction of the political, economic, social, cultural, education, health, spiritual and knowledge systems of indigenous peoples. There is a disconnect between dominant development paradigms and indigenous peoples due to the way indigenous peoples are often viewed. For example, indigenous peoples "development" is understood to be their assimilation into the so-called "civilized world". Also, indigenous peoples cultures and values are seen to be contradictory to the values of the market economy, such as the accumulation of profit, consumption and competition. Further, indigenous peoples and their cultures are seen as "obstacles" to progress because their lands and territories are rich in resources, and indigenous peoples are not willing to freely dispose of them.

2. The concepts of indigenous peoples in respect of development with culture and identity are characterized by a holistic approach that seeks to build on collective rights, security and greater control and self-governance of lands, territories and resources. The concepts build on tradition, with respect for ancestors, but are also forward-looking. They are based on a restorative philosophy underpinned by values of reciprocity, solidarity, equilibrium, sustainability and collectivity.

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3. The United Nations Declaration on the Rights of Indigenous Peoples provides a strong basis from which indigenous peoples can affirm their rights and define their aspirations in their relations with States, corporations, the United Nations system, intergovernmental organizations and other institutions around development with culture and identity. Article 3 is central to the Declaration since it refers to the right to self-determination. Article 32 is also a key provision, which captures the essence of culture with development and identity, affirms the principle of free, prior and informed consent and refers to the respective obligations of States. Those articles are the result of advocacy and concerns raised by indigenous peoples at the United Nations.

4. Treaties and treaty principles should be included in the consideration of the issue of indigenous peoples development with culture and identity. Therefore, articles 3 and 32 of the United Nations Declaration on the Rights of Indigenous Peoples should be read together with preambular paragraphs 7, 8, 14, 15, article 37 and the Declaration on the Right to Development.

5. The Permanent Forum welcomes the fact that its mandate and approach have created a positive and cooperative environment where Member States make high-level announcements on the promotion and protection of the rights of indigenous peoples and looks forward to the continuation of that practice.

6. The Permanent Forum recognizes that education is a critical underpinning of the special theme. In particular, the right to education in the mother tongue is fundamental to the maintenance and growth of culture and identity and cultural and linguistic diversity.

7. The Permanent Forum endorses the report and recommendations of the international expert group meeting on the theme "Indigenous peoples: development with culture and identity: articles 3 and 32 of the United Nations Declaration on the Rights of Indigenous Peoples" (see E/C.19/2010/14).

8. The Permanent Forum recommends that States, the United Nations system and other intergovernmental organizations provide political, institutional and, in accordance with article 42 of the United Nations Declaration on the Rights of Indigenous Peoples, financial support to the efforts of indigenous peoples so that they may consolidate their own development models and concepts and practices of living well (*sumak kawsay*, *suma qamana*, *laman laka*, *gawis ay biag*, etc.), which are underpinned by their indigenous cosmologies, philosophies, values, cultures and identities, as well as link efforts to implement the Declaration.

9. The Permanent Forum recommends that the efforts undertaken to develop the indicators of sustainability and well-being of indigenous peoples should be continued and supported by States, the United Nations system and intergovernmental bodies towards the establishment of headline indicators to measure and represent the goals and aspirations of indigenous peoples. These initiatives should lead to the creation of an indigenous peoples development index, which the Human Development Report Office of the United Nations Development Programme (UNDP) would adopt as a project to be included in future issues of the *Human Development Report*.

10. The Permanent Forum recognizes the importance of indigenous peoples knowledge systems as the basis of their development with culture and identity and therefore recommends that ongoing international processes, such as negotiations on

the international regime on access and benefit-sharing of the Convention on Biological Diversity, the Ad Hoc Working Group on Long-term Cooperative Action of the United Nations Framework Convention on Climate Change, and the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore of the World Intellectual Property Organization, should recognize and integrate the crucial role and relevance of indigenous knowledge systems in accordance with the United Nations Declaration on the Rights of Indigenous Peoples.

11. The Permanent Forum calls on Member States, UNDP and other relevant organizations to effectively involve indigenous peoples in the review processes of the implementation of the Millennium Development Goals at the national and local levels and to ensure that disaggregated data on how the Goals are achieved in indigenous peoples territories be included.

12. The Permanent Forum also calls on the United Nations to ensure the active participation of indigenous peoples at the High-level Plenary Meeting of the sixty-fifth session of the General Assembly, to be held in September 2010.

13. The Permanent Forum welcomes the announcement by New Zealand to endorse the United Nations Declaration on the Rights of Indigenous Peoples and the announcement by the United States of America that it will review its position on the Declaration. It also welcomes the Canadian Speech from the Throne in 2010. The Forum recommends that the United States and Canada expedite their commitments made to endorse the Declaration.

14. Furthermore, the Permanent Forum urges those States that have abstained to reverse their positions and endorse the Declaration so as to achieve full consensus.

15. The Permanent Forum thanks Germany for announcing its contributions to the Trust Fund of the Permanent Forum and, given the steady annual increase of applications from indigenous peoples organizations, encourages other States to contribute to the Fund.

16. The Permanent Forum appreciates the efforts made by the Food and Agriculture Organization of the United Nations and its partners to inform, consult and involve indigenous peoples in United Nations activities relating to reducing emissions from deforestation and forest degradation and encourages them to further consolidate the partnership in accordance with the principle of free, prior and informed consent and the Declaration.

17. The Permanent Forum congratulates the International Fund for Agricultural Development (IFAD) for the approval of its policy on engagement with indigenous peoples, consistent with international standards, in particular with the United Nations Declaration on the Rights of Indigenous Peoples and the United Nations Development Group guidelines. In the implementation of the policy, the Forum encourages the Trust Fund to establish an indigenous peoples forum at IFAD, as an example to be followed by United Nations agencies and other intergovernmental organizations.

18. The Permanent Forum decides to appoint as special rapporteur, Pavel Sulyandziga, to conduct a study on indigenous peoples models of development in line with the theme "development with culture and identity", which is consistent with indigenous peoples cultural aspirations and world views.

19. The Permanent Forum welcomes the "International Conference on Biological and Cultural Diversity: Diversity for Development and Development for Diversity" (8-10 June 2010, Montreal) as a useful dialogue on the interface of diversities and development and notes its goal to consider a future collaborative programme of work between the Secretariat of the Conference on Biological Diversity, the United Nations Educational, Scientific and Cultural Organization (UNESCO), other relevant agencies, including the Forum and relevant indigenous organizations and non-governmental organizations, and decides to send the Chair of the Forum to report on the outcomes of the ninth session of the Permanent Forum regarding the theme.

20. The Permanent Forum calls upon UNESCO, the Secretariat of the Conference on Biological Diversity, UNDP, the United Nations Children's Fund (UNICEF), the United Nations Population Fund, the World Intellectual Property Organization and the United Nations Development Group to support indigenous peoples in their process of cultural heritage restoration and strengthening. This process should be guided by indigenous peoples in order to avoid the misuse and distortion of indigenous peoples culture, practices and knowledge and to respect their perspectives and aspirations.

21. The Permanent Forum recommends that UNDP include indigenous peoples in its programme of democratic governance in order to support and strengthen indigenous institutions and enable indigenous peoples to enjoy their right to political participation and fortify their capacities for political conflict prevention and resolution.

22. The Permanent Forum recommends that States consider the document entitled "The human development framework and indigenous peoples self-determined development or development with culture and identity" (E/C.19/2010/CRP.4) and in particular pay attention to the conclusions and recommendations provided therein.

23. The Permanent Forum recommends that the International Council on Mining and Metals provide a list of at least 10 projects that they recommend as good practices in the involvement of indigenous peoples in mining operations and invite members of the Forum to visit the project sites for the purpose of reporting back to the Forum at its tenth session.

24. The Permanent Forum requests that the secretariat of the Permanent Forum on indigenous issues publish a second volume of the *State of the World's Indigenous Peoples*, containing information from indigenous peoples organizations, United Nations agencies and States for a section on development with culture and identity.

25. The Permanent Forum recommends that UNESCO, the Convention on Biological Diversity, UNICEF and other relevant United Nations agencies convene an expert meeting, in conjunction with the Forum, comprising intercultural and educational experts and United Nations agencies to explore themes and concepts related to bilingual, intercultural and multilingual education in the context of teaching in mother tongue indigenous languages.

26. The Permanent Forum notes that in order to facilitate the expert meeting, there is a need for a country-specific situation analysis. The Forum invites UNESCO to conduct the analysis, given the agency's experience and expertise in the area. The Forum also invites UNESCO to transmit the analysis to the Forum. The analysis should identify the legislative and/or policy frameworks that States employ to

facilitate successful models of bilingual learning, multicultural and multilingual learning and mother tongue education and identify the barriers to implementation of those frameworks.

27. The Permanent Forum recommends that the United Nations system, the World Bank Group, the Inter-American Development Bank, the Asian Development Bank and other multilateral development banks formulate policies to ensure that indigenous education projects that are financed take into account the use, protection and intercultural preservation of indigenous languages through supporting bilingual, intercultural and multilingual education in indigenous languages. The International Monetary Fund should respect the rights of indigenous peoples recognized in international law.

28. On the basis of information received at the ninth session, the Permanent Forum expresses its deep concern about the changes in policy on bilingual education in the Northern Territory, Australia. The Forum urges the Government of Australia to work with its State and territory education systems to develop models of bilingual, intercultural and multilingual education that are consistent with the United Nations Declaration on the Rights of Indigenous Peoples and the United Nations Convention on the Rights of the Child.